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UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

-----X	
TRUSTEES of the MASON TENDERS	:
DISTRICT COUNCIL WELFARE FUND,	:
PENSION FUND, ANNUITY FUND and	:
TRAINING PROGRAM FUND,	:
	:
Plaintiffs,	:
	:
- against -	:
	:
FIRST CHOICE CONSTRUCTION SERVICES, INC.,	:
	:
Defendant.	:
-----X	

08 Civ. 4333 (VM)

**AFFIDAVIT OF DOMINICK
 GIAMMONA IN SUPPORT OF
 PLAINTIFFS' MOTION FOR
 JUDGMENT BY DEFAULT
 AGAINST DEFENDANT**

STATE OF NEW YORK)
) ss.:
 COUNTY OF NEW YORK)

Dominick Giammona, being duly sworn, states:

1. I am the Manager of the Contributions & Delinquency Department of the Mason Tenders District Council Welfare Fund, Pension Fund, Annuity Fund and Training Program Fund (the "Funds"). I have been employed by the Funds since November 1988, and I am fully familiar with the fact in the above-captioned action.

2. The Funds are jointly-administered, multi-employer, labor-management trust funds established and maintained pursuant to various collective bargaining agreements and trust agreements in accordance with section 302(c)(5) and (c)(6) of the Taft-Hartley Act (29 U.S.C. § 186(c)(5) and (c)(6)).

3. The Funds are employee benefit plans within the meaning of sections 3(1), 3(2), 3(3) and 502(d)(1) of ERISA (29 U.S.C. §§ 1002(1), (2), (3), and 1132(d)(1)), and multi-

employer plans within the meaning of sections 3(37) and 515 of ERISA (29 U.S.C. §§ 1002(37) and 1145).

4. The purpose of the Funds is to provide various fringe benefits to eligible employees on whose behalf employers contribute to the Funds pursuant to collective bargaining agreements between employers in the building and construction industry and the Mason Tenders District Council of Greater New York (the "Union"). The Funds are third-party beneficiaries of the collective bargaining agreements.

5. My responsibilities include, among other things, coordination with the Funds' outside independent auditors and legal counsel to ensure that payroll compliance audits of employers' books and records are conducted, as required by the Funds' trust agreements and the collective bargaining agreements executed by individual employers and by employer associations with the Union, and that payments of fringe benefit contributions, dues checkoffs and PAC contributions owed by signatory and bound employers are received and credited.

6. The collective bargaining agreements executed by individual employers and by employer associations with the Union require signatory and bound employers to submit reports to the Funds and to pay fringe benefit contributions, dues checkoffs and PAC contributions each month for all hours worked by the employers' employees who perform work within the trade and geographic jurisdictions of the Union.

7. Payroll compliance audits of the employers' books and records are conducted in the ordinary course of business of the Funds by outside independent auditors retained by the Funds.

8. The purpose of the payroll compliance audits is to verify that signatory and bound employers have fully complied with their reporting and payment obligations and, if they have not, to determine the amount of fringe benefit contributions and/or dues checkoffs and/or PAC contributions that are owed on behalf of the employees who have performed work within the Union's trade and geographic jurisdictions.

9. The reports of the payroll compliance audits are maintained by the Funds in the ordinary course of the Funds' business.

10. I am familiar with defendant First Choice Construction Services, Inc. ("First Choice").

11. First Choice was a member of the Environmental Contractors Association (“ECA”), one of the employer associations that has negotiated and executed collective bargaining agreements with the Union. As a member of the ECA, First Choice is bound by the agreement between the Union and the ECA covering the period December 1, 2003 through November 30, 2007 (the “Agreement”).

12. I am familiar with the terms and conditions of the Agreement, and the type of work covered by the Agreement.

13. The mason tender employees of defendant First Choice performed asbestos removal and abatement work in the five boroughs of New York City. This type of work and the location of this work is within the jurisdiction of the Union and is covered by the Agreement.

14. The Agreement requires payment of fringe benefit contributions, dues checkoffs and PAC contributions and submission of contribution reports each month for the payroll periods ending during the prior month.

15. The Agreement requires First Choice to permit and cooperate in the conduct of audits of its books and records, and also requires First Choice to pay the costs of the audits if it is substantially delinquent in the payment of required fringe benefit contributions. The Agreement defines “substantially delinquent” as any deficiency in the payment of fringe benefit contributions to the Funds in excess of 10% of the fringe benefit contributions paid to the Funds during the period covered by the audit.

16. A payroll compliance audit of defendant First Choice’s books and records covering the period June 7, 2004 through December 31, 2004 was conducted in or about January 2005 by independent auditors from the accounting firm of Salibello & Broder, LLP (the “Audit”).

17. The Audit revealed a substantial fringe benefit delinquency, and it was determined that defendant First Choice owed fringe benefit contributions, dues checkoffs, PAC contributions, interest and audit costs in the total amount of \$53,413.26 for the period June 7, 2004 through December 31, 2004.

18. The Audit was sent to First Choice with a demand for payment. First Choice did not object to or otherwise dispute the Audit or the total amount due.

19. On or about August 9, 2005, the Funds received a 2-party check from one of First Choice’s general contractors in the amount of \$40,000.00, payable to First Choice and the

Funds and endorsed by First Choice, in partial payment of the amount due for Audit. As a result of that partial payment, a balance of \$13,413.26 remained due for the Audit.

20. Thereafter, a further demand was sent to First Choice for (a) payment of the balance due on the Audit, (b) payment of estimated amounts owed for work performed in 2005, and (c) access to First Choice's books and records in order to conduct an audit for the period January 1, 2005 to date.

21. Because First Choice failed to make any payment despite demand therefor, the Funds filed a claim against the \$50,000 surety bond previously provided by First Choice¹ for the balance owed on the Audit and estimated amounts owed (based on shop steward reports) for work performed in 2005.

22. First Choice subsequently submitted contribution reports for covered work performed by its mason tender employees for the months of January 2005 through April 2005 and June 2005 through October 2005. Those reports reflected 15,775 hours of covered work performed. True copies of the contribution reports submitted by First Choice for the period January 1, 2005 through October 31, 2005 reflecting the 15,775 hours are attached hereto as Exhibit A.²

23. The fringe benefit contribution rate was \$8.55 per hour during the period January 1, 2005 through November 30, 2005. The dues checkoff rate and the PAC contribution rate during that same period was \$1.35 and \$.05, respectively. By multiplying the total number of unpaid hours appearing on the contribution reports by these rates, it was determined that defendant First Choice owed \$134,876.25 for fringe benefit contributions and \$22,085.00 for dues checkoffs and PAC contributions for asbestos work performed during the period January 1, 2005 through October 31, 2005.

24. On or about April 10, 2006, the Funds received a second 2-party check from one of First Choice's general contractors in the amount of \$50,000.00, payable to First Choice and the Funds and endorsed by First Choice.

25. Thereafter, as a result of the Funds' claim against the surety bond, the Funds received a payment of \$50,000.00 from the surety on or about May 17, 2006.

¹ The Agreement requires employers to post a bond in certain monetary amounts to ensure payment of fringe benefit contributions, dues checkoffs and PAC contributions.

² The attached reports have been partially redacted solely to obscure the social security numbers of the listed employees.

26. Consistent with the Funds' practice, the Funds credited those two (2) payments against the outstanding delinquencies, paying the balance of \$13,413.26 remaining due for the Audit and then applying \$86,586.74 towards the amounts due as reflected on the contribution reports. As result of those payments, balances of \$60,106.91 for fringe benefit contributions and \$10,267.60 for dues checkoffs and PAC contributions remained due and owing for the hours reflected on the contribution reports.

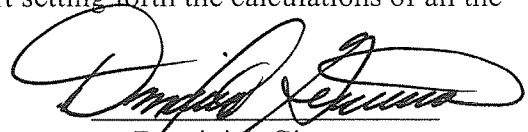
27. Despite subsequent requests, First Choice did not made any further payments and the Funds have been unable to conduct an audit of First Choice's books and records for the period January 1, 2005 through November 30, 2007 because First Choice has failed to permit access to its books and records.

28. Based upon a review of the Funds' records, no payments other than the ones referred to in paragraphs 20, 24 and 25 above have been received from or on behalf of defendant First Choice. Therefore, totals of \$60,106.91 for fringe benefit contributions and \$10,267.60 for dues checkoffs and PAC contributions remain due and owing for the hours reflected on the contribution reports.

29. The Funds calculate interest on delinquent fringe benefit contributions from the date those contributions were due until the date they are paid, at the rates provided by 26 U.S.C. section 6621. Using the applicable rates in effect from the dates the fringe benefit contributions were originally due through July 30, 2008, interest in the amount of \$16,178.51 is owed on the delinquent fringe benefit contributions.

30. Interest on unpaid dues checkoffs and PAC contributions is calculated at the rate of 9% from the date the dues and PAC were originally due through July 30, 2008, and a total of \$3,382.52 is owed.

31. Attached hereto as Exhibit B is a chart setting forth the calculations of all the interest owed.



Dominick Giammona

Sworn to before me this
31 day of July, 2008

Renata Goluch
 Notary Public
RENATA GOLUCH
 Notary Public - State of New York
 No. 01GO6186110
 Qualified in Queens County
 My Commission Expires April 28, 2012

CODE_____

ALL INFORMATION BELOW MUST BE FULLY PROVIDED WITH EACH REPORT • PRINT OR TYPE

LIST EACH JOB LOCATION ON A SEPARATE FORM

DATE JOB BEGAN

LAST REPORTED PAID PERIOD

DATE 6/28/05

TITLE President

		NEW RATE AS OF	12/01/2004	
TOTAL RATE	8.550	X TOTAL HOURS WORKED →	385	= \$ 3291.75
UIES RATE	1.350	X AUTHORIZED HOURS WORKED →	385	= \$ 519.75
HYLPAC RATE	.050	X AUTHORIZED HOURS WORKED →	385	= \$ 19.25

S 3830.75

SEE INSTRUCTIONS ON REVERSE SIDE: PROVISIONS
OF WHICH ARE INCORPORATED IN THIS REPORT.

First Choice Construction Services
Transactions by Payroll Liability Item
January 2005

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08/26/05

Type	Date	Num	Name	Memo	SSN/Tax ID	Payroll Item	Qty	Amount
PAC								
Paycheck	1/28/2005	2694	Belashenka, Yury	347 Pearl Street		PAC	-8	0.40
Paycheck	1/28/2005	2713	Belashenka, Yury	347 Pearl Street		PAC	-8	0.40
Paycheck	1/28/2005	2695	Bolkunav, Nikolay	347 Pearl Street		PAC	-24	1.20
Paycheck	1/28/2005	2714	Bolkunav, Nikolay	347 Pearl Street		PAC	-24	1.20
Paycheck	1/28/2005	2706	Galushko, Vyacheslav	347 Pearl Street		PAC	-8	0.40
Paycheck	1/28/2005	2708	Galushko, Vyacheslav	347 Pearl Street		PAC	-16	0.80
Paycheck	1/28/2005	2696	Kepinski, Remigiusz	347 Pearl Street		PAC	-22	1.10
Paycheck	1/28/2005	2715	Kepinski, Remigiusz	347 Pearl Street		PAC	-32	1.60
Paycheck	1/28/2005	2716	Klinov, Oleg	347 Pearl Street		PAC	-32	1.60
Paycheck	1/28/2005	2697	Klinov, Oleg	347 Pearl Street		PAC	-32	1.60
Paycheck	1/28/2005	2707	Koguch, Andriy	347 Pearl Street		PAC	-8	0.40
Paycheck	1/28/2005	2709	Koguch, Andriy	347 Pearl Street		PAC	-8	0.40
Paycheck	1/28/2005	2698	Kulish, Stanislau	347 Pearl Street		PAC	-32	1.60
Paycheck	1/28/2005	2711	Kulish, Stanislau	347 Pearl Street		PAC	-19	0.95
Paycheck	1/28/2005	2718	Kulish, Stanislau	347 Pearl Street		PAC	-40	2.00
Paycheck	1/28/2005	2699	Tkachev, Mikhail	347 Pearl Street		PAC	-32	1.60
Paycheck	1/28/2005	2717	Tkachev, Mikhail	347 Pearl Street		PAC	-40	2.00
Total PAC							385	19.25
Union								
Paycheck	1/28/2005	2694	Belashenka, Yury	347 Pearl Street		Union	-8	10.80
Paycheck	1/28/2005	2713	Belashenka, Yury	347 Pearl Street		Union	-8	10.80
Paycheck	1/28/2005	2695	Bolkunav, Nikolay	347 Pearl Street		Union	-24	32.40
Paycheck	1/28/2005	2714	Bolkunav, Nikolay	347 Pearl Street		Union	-24	32.40
Paycheck	1/28/2005	2706	Galushko, Vyacheslav	347 Pearl Street		Union	-8	10.80
Paycheck	1/28/2005	2708	Galushko, Vyacheslav	347 Pearl Street		Union	-16	21.60
Paycheck	1/28/2005	2696	Kepinski, Remigiusz	347 Pearl Street		Union	-22	29.70
Paycheck	1/28/2005	2715	Kepinski, Remigiusz	347 Pearl Street		Union	-32	43.20
Paycheck	1/28/2005	2716	Klinov, Oleg	347 Pearl Street		Union	-32	43.20
Paycheck	1/28/2005	2697	Klinov, Oleg	347 Pearl Street		Union	-32	43.20
Paycheck	1/28/2005	2707	Koguch, Andriy	347 Pearl Street		Union	-8	10.80
Paycheck	1/28/2005	2709	Koguch, Andriy	347 Pearl Street		Union	-8	10.80
Paycheck	1/28/2005	2698	Kulish, Stanislau	347 Pearl Street		Union	-32	43.20
Paycheck	1/28/2005	2711	Kulish, Stanislau	347 Pearl Street		Union	-19	25.65
Paycheck	1/28/2005	2718	Kulish, Stanislau	347 Pearl Street		Union	-40	54.00
Paycheck	1/28/2005	2699	Tkachev, Mikhail	347 Pearl Street		Union	-32	43.20
Paycheck	1/28/2005	2717	Tkachev, Mikhail	347 Pearl Street		Union	-40	54.00
Total Union							385	519.75
Mason Tender's Dues								
Paycheck	1/28/2005	2694	Belashenka, Yury	347 Pearl Street		Mason Tender's Dues	-8	68.40
Paycheck	1/28/2005	2713	Belashenka, Yury	347 Pearl Street		Mason Tender's Dues	-8	68.40
Paycheck	1/28/2005	2695	Bolkunav, Nikolay	347 Pearl Street		Mason Tender's Dues	-24	205.20
Paycheck	1/28/2005	2714	Bolkunav, Nikolay	347 Pearl Street		Mason Tender's Dues	-24	205.20
Paycheck	1/28/2005	2706	Galushko, Vyacheslav	347 Pearl Street		Mason Tender's Dues	-8	68.40
Paycheck	1/28/2005	2708	Galushko, Vyacheslav	347 Pearl Street		Mason Tender's Dues	-16	136.80
Paycheck	1/28/2005	2696	Kepinski, Remigiusz	347 Pearl Street		Mason Tender's Dues	-22	188.10

First Choice Construction Services
Transactions by Payroll Liability Item
January 2005

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06/26/05

Type	Date	Num	Name	Memo	SSN/Tax ID	Payroll Item	Qty	Amount
Paycheck	1/28/2005	2715	Kepinski, Remigiusz	347 Pearl Street		Mason Tender's Dues	-32	273.60
Paycheck	1/28/2005	2716	Klinov, Oleg	347 Pearl Street		Mason Tender's Dues	-32	273.60
Paycheck	1/28/2005	2697	Klinov, Oleg	347 Pearl Street		Mason Tender's Dues	-32	273.60
Paycheck	1/28/2005	2707	Koguch, Andriy	347 Pearl Street		Mason Tender's Dues	-8	68.40
Paycheck	1/28/2005	2709	Koguch, Andriy	347 Pearl Street		Mason Tender's Dues	-8	68.40
Paycheck	1/28/2005	2698	Kulish, Stanislau	347 Pearl Street		Mason Tender's Dues	-32	273.60
Paycheck	1/28/2005	2711	Kulish, Stanislau	347 Pearl Street		Mason Tender's Dues	-19	162.45
Paycheck	1/28/2005	2718	Kulish, Stanislau	347 Pearl Street		Mason Tender's Dues	-40	342.00
Paycheck	1/28/2005	2699	Tkachev, Mikhail	347 Pearl Street		Mason Tender's Dues	-32	273.60
Paycheck	1/28/2005	2717	Tkachev, Mikhail	347 Pearl Street		Mason Tender's Dues	-40	342.00
Total Mason Tender's Dues								3,291.75
TOTAL								3,830.75

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06/26/05

First Choice Construction Services Transactions by Payroll Liability Item February 2005

Type	Date	Num	Name	Memo	SSN/Tax ID	Payroll Item	Qty	Amount
PAC								
Paycheck	2/25/2005	1007	Belashenka, Yuri	347 Pearl Street		PAC	-8	0.40
Paycheck	2/11/2005	2722	Bolkunav, Nikolay	347 Pearl Street		PAC	-24	1.20
Paycheck	2/11/2005	1001	Bolkunav, Nikolay	347 Pearl Street		PAC	-24	1.20
Paycheck	2/25/2005	1008	Bolkunav, Nikolay	347 Pearl Street		PAC	-24	1.20
Paycheck	2/11/2005	2723	Galushko, Vyacheslav	347 Pearl Street		PAC	-16	0.80
Paycheck	2/11/2005	1002	Galushko, Vyacheslav	347 Pearl Street		PAC	-24	1.20
Paycheck	2/25/2005	1009	Galushko, Vyacheslav	347 Pearl Street		PAC	-8	0.40
Paycheck	2/11/2005	2724	Kepinski, Remigiusz	347 Pearl Street		PAC	-48	2.40
Paycheck	2/11/2005	1003	Kepinski, Remigiusz	347 Pearl Street		PAC	-40	2.00
Paycheck	2/25/2005	1010	Kepinski, Remigiusz	347 Pearl Street		PAC	-48	2.40
Paycheck	2/11/2005	2725	Klinov, Oleg	347 Pearl Street		PAC	-39	1.95
Paycheck	2/11/2005	1004	Klinov, Oleg	347 Pearl Street		PAC	-40	2.00
Paycheck	2/25/2005	1017	Klinov, Oleg	347 Pearl Street		PAC	-16	0.80
Paycheck	2/25/2005	1011	Klinov, Oleg	347 Pearl Street		PAC	-48	2.40
Paycheck	2/11/2005	2726	Kulish, Stanislav	347 Pearl Street		PAC	-40	2.00
Paycheck	2/11/2005	1005	Kulish, Stanislav	347 Pearl Street		PAC	-32	1.60
Paycheck	2/25/2005	1023	Kulish, Stanislav	347 Pearl Street		PAC	-40	2.00
Paycheck	2/25/2005	1018	Kulish, Stanislav	347 Pearl Street		PAC	-48	2.40
Paycheck	2/25/2005	1013	Lahun, Aliaksandr	347 Pearl Street		PAC	-16	0.80
Paycheck	2/25/2005	1019	Teofil, Stawarz	347 Pearl Street		PAC	-32	1.60
Paycheck	2/11/2005	2727	Tkachev, Mikhail	347 Pearl Street		PAC	-8	0.40
Paycheck	2/11/2005	1006	Tkachev, Mikhail	347 Pearl Street		PAC	-40	2.00
Paycheck	2/25/2005	1024	Tkachev, Mikhail	347 Pearl Street		PAC	-40	2.00
Paycheck	2/25/2005	1014	Tkachev, Mikhail	347 Pearl Street		PAC	-16	0.80
Paycheck	2/25/2005	1015	Tsirreschchanka, Andrei	347 Pearl Street		PAC	-48	2.40
Paycheck	2/25/2005	1016	Ukhov, Vladimir	347 Pearl Street		PAC	-24	1.20
Total PAC							839	41.95
Union								
Paycheck	2/25/2005	1007	Belashenka, Yuri	347 Pearl Street		Union	-8	10.80
Paycheck	2/11/2005	2722	Bolkunav, Nikolay	347 Pearl Street		Union	-24	32.40
Paycheck	2/11/2005	1001	Bolkunav, Nikolay	347 Pearl Street		Union	-24	32.40
Paycheck	2/25/2005	1008	Bolkunav, Nikolay	347 Pearl Street		Union	-24	32.40
Paycheck	2/11/2005	2723	Galushko, Vyacheslav	347 Pearl Street		Union	-16	21.60
Paycheck	2/11/2005	1002	Galushko, Vyacheslav	347 Pearl Street		Union	-24	32.40
Paycheck	2/25/2005	1009	Galushko, Vyacheslav	347 Pearl Street		Union	-8	10.80
Paycheck	2/11/2005	2724	Kepinski, Remigiusz	347 Pearl Street		Union	-48	64.80
Paycheck	2/11/2005	1003	Kepinski, Remigiusz	347 Pearl Street		Union	-40	54.00
Paycheck	2/25/2005	1010	Kepinski, Remigiusz	347 Pearl Street		Union	-48	54.00
Paycheck	2/11/2005	2725	Klinov, Oleg	347 Pearl Street		Union	-39	52.65
Paycheck	2/11/2005	1004	Klinov, Oleg	347 Pearl Street		Union	-40	54.00
Paycheck	2/25/2005	1017	Klinov, Oleg	347 Pearl Street		Union	-16	21.60
Paycheck	2/25/2005	1011	Klinov, Oleg	347 Pearl Street		Union	-48	64.80
Paycheck	2/11/2005	2726	Kulish, Stanislav	347 Pearl Street		Union	-40	54.00
Paycheck	2/11/2005	2728	Kulish, Stanislav	347 Pearl Street		Union	-32	43.20
Paycheck	2/11/2005	1005	Kulish, Stanislav	347 Pearl Street		Union	-40	54.00

First Choice Construction Services
Transactions by Payroll Liability Item
February 2005

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06/26/05

Type	Date	Num	Name	Memo	SSN/Tax ID	Payroll Item	Qty	Amount
Paycheck	2/25/2005	1023	Kulish, Stanislau	347 Pearl Street		Union	-48	64.80
Paycheck	2/25/2005	1018	Kulish, Stanislau	347 Pearl Street		Union	-16	21.60
Paycheck	2/25/2005	1013	Lahun, Aliaksandr	347 Pearl Street		Union	-32	43.20
Paycheck	2/25/2005	1019	Teofil, Stawarz	347 Pearl Street		Union	-8	10.80
Paycheck	2/11/2005	2727	Tkachev, Mikhail	347 Pearl Street		Union	-40	54.00
Paycheck	2/11/2005	1006	Tkachev, Mikhail	347 Pearl Street		Union	-40	54.00
Paycheck	2/25/2005	1024	Tkachev, Mikhail	347 Pearl Street		Union	-16	21.60
Paycheck	2/25/2005	1014	Tkachev, Mikhail	347 Pearl Street		Union	-48	64.80
Paycheck	2/25/2005	1015	Tsirreschchanka, Andrei	347 Pearl Street		Union	-48	64.80
Paycheck	2/25/2005	1016	Ukhov, Vladimir	347 Pearl Street		Union	-24	32.40
Total Union								1,132.65
Mason Tender's Dues								
Paycheck	2/25/2005	1007	Belashenka, Yury	347 Pearl Street		Mason Tender's Dues	-8	68.40
Paycheck	2/11/2005	2722	Bolkunav, Nikolay	347 Pearl Street		Mason Tender's Dues	-24	205.20
Paycheck	2/11/2005	1001	Bolkunav, Nikolay	347 Pearl Street		Mason Tender's Dues	-24	205.20
Paycheck	2/25/2005	1008	Bolkunav, Nikolay	347 Pearl Street		Mason Tender's Dues	-24	205.20
Paycheck	2/11/2005	2723	Galushko, Vyacheslav	347 Pearl Street		Mason Tender's Dues	-16	136.80
Paycheck	2/11/2005	1002	Galushko, Vyacheslav	347 Pearl Street		Mason Tender's Dues	-24	205.20
Paycheck	2/25/2005	1009	Galushko, Vyacheslav	347 Pearl Street		Mason Tender's Dues	-8	68.40
Paycheck	2/11/2005	2724	Kepinski, Remigiusz	347 Pearl Street		Mason Tender's Dues	-48	410.40
Paycheck	2/11/2005	1003	Kepinski, Remigiusz	347 Pearl Street		Mason Tender's Dues	-40	342.00
Paycheck	2/25/2005	1010	Kepinski, Remigiusz	347 Pearl Street		Mason Tender's Dues	-48	410.40
Paycheck	2/11/2005	2725	Klinov, Oleg	347 Pearl Street		Mason Tender's Dues	-39	333.45
Paycheck	2/11/2005	1004	Klinov, Oleg	347 Pearl Street		Mason Tender's Dues	-40	342.00
Paycheck	2/25/2005	1017	Klinov, Oleg	347 Pearl Street		Mason Tender's Dues	-16	136.80
Paycheck	2/25/2005	1011	Klinov, Oleg	347 Pearl Street		Mason Tender's Dues	-48	410.40
Paycheck	2/11/2005	2726	Kulish, Stanislau	347 Pearl Street		Mason Tender's Dues	-40	342.00
Paycheck	2/11/2005	2728	Kulish, Stanislau	347 Pearl Street		Mason Tender's Dues	-32	273.60
Paycheck	2/11/2005	1005	Kulish, Stanislau	347 Pearl Street		Mason Tender's Dues	-40	342.00
Paycheck	2/25/2005	1023	Kulish, Stanislau	347 Pearl Street		Mason Tender's Dues	-48	410.40
Paycheck	2/25/2005	1018	Kulish, Stanislau	347 Pearl Street		Mason Tender's Dues	-16	136.80
Paycheck	2/25/2005	1013	Lahun, Aliaksandr	347 Pearl Street		Mason Tender's Dues	-32	273.60
Paycheck	2/25/2005	1019	Teofil, Stawarz	347 Pearl Street		Mason Tender's Dues	-8	68.40
Paycheck	2/11/2005	2727	Tkachev, Mikhail	347 Pearl Street		Mason Tender's Dues	-40	342.00
Paycheck	2/11/2005	1006	Tkachev, Mikhail	347 Pearl Street		Mason Tender's Dues	-40	342.00
Paycheck	2/25/2005	1024	Tkachev, Mikhail	347 Pearl Street		Mason Tender's Dues	-16	136.80
Paycheck	2/25/2005	1014	Tkachev, Mikhail	347 Pearl Street		Mason Tender's Dues	-48	410.40
Paycheck	2/25/2005	1015	Tsirreschchanka, Andrei	347 Pearl Street		Mason Tender's Dues	-48	410.40
Paycheck	2/25/2005	1016	Ukhov, Vladimir	347 Pearl Street		Mason Tender's Dues	-24	205.20
Total Mason Tender's Dues								7,173.45
TOTAL								8,348.05

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PAGE 1
 PERIOD: 6/01/2005 TO 6/30/2005
 520 EIGHTH AVENUE, SUITE 600, NEW YORK, NY 10018-4196
 PHONE 212/452-9700

DATE _____
 CODE _____

EMPLOYER'S REMITTANCE AGREEMENT AND REPORT

ALL INFORMATION BELOW MUST BE FULLY PROVIDED WITH EACH REPORT • PRINT OR TYPE

EMPLOYER'S NUMBER 13119 000000000
 EMPLOYER'S NAME FIRST CHOICE CONSTRUCTION SERVICES, INC
 EMPLOYER'S ADDRESS 38-11 31ST STREET L I C NY 11101 TEL. 718 784-4488
 LOCATION 88-11 165th Street Jamaica, NY.
LIST EACH JOB LOCATION ON A SEPARATE FORM
 NAME AND ADDRESS OF GENERAL CONTRACTOR _____

IS THIS THE LAST REPORT ON THIS JOB? YES ☐ NO ☒

IS THIS THE FIRST REPORT ON THIS JOB? YES ☒ NO ☐

DATE JOB BEGAN _____

REPORT FOR MONTH/WEEK ENDING 6/24/05 LAST REPORTED PAID PERIOD 6/24/05

The undersigned Employer hereby adopts and makes a part hereof the terms and conditions and the agreements printed on the reverse side hereof with the same force and effect as if fully set forth herein. The person signing this Agreement and Report on behalf of the Employer hereby consents and agrees to be personally bound by it to assume all of the terms and conditions, rights, liabilities and responsibilities of an employer in accordance with the provisions of the Collective Bargaining Agreement currently in force with the Mason Tenders District Council of Greater New York comprised of Local Unions Nos. 78 and 79 with the same force and effect as if fully set forth herein, and he/she warrants and represents that he/she has authority to bind the Employer and the principals or members thereof. The Employer agrees to make all contributions in accordance therewith in the amount set forth in this Agreement and Report for each hour of employment performed within the trade and geographical jurisdiction of the District Council, and to remit all authorized deductions for dues and New York Laborers' Political Action Committee ("NYLPAC") contributions.

SIGNATURE OF EMPLOYER OFFICER OR PARTNER _____ DATE _____
 PRINT NAME OF SIGNER _____ TITLE _____

SOCIAL SECURITY NO.	LIST EMPLOYEE'S NAME ALPHABETICALLY	HOURS WORKED	AUTHORIZED DUES HOURS	AUTHORIZED NYLPAC HOURS
	Bayrak, Victor	152	152	152
	Bolkunav, Nikolay	13	13	13
	Fajardo, Jose	136	136	136
	Gotsulyak, Vasyi	40	40	40
	Guiracocha, Samuel	136	136	136
	Jachero, Julio	112	112	112
	Jachero, William	112	112	112
	Kiselyov, Andrey	16	16	16
	Kolesnyk, Mykola	160	160	160
	Kozhevnikov, Aleksandr	160	160	160
	Kulish, Stanislaw	200	200	200
	Lahun, Aliaksandr	120	120	120
	Paslavskyy, Victor	40	40	40
	Sotamba, Benigno	128	128	128
	Sotamba, Julio	128	128	128
	Sushevskyy, Yaroslav	88	88	88

MTDC FUNDS	WELFARE	PENSION	ANNUITY	GNV LECET	TRAINING	I.A.P.	IOCA/IAP	BCA I.A.P.
RATE BY FUND	4.750	1.060	2.000	.040	.500	.000	.000	.000
MTDC FUNDS	DUES L	IAF	NYS LABOR HEALTH & SAFETY	NYS LABOR/EMP COOP & EDUC.	DUES	P.A.C.	ECA/IAP	DUES D
RATE BY FUND	.250	.000	.050	.050	1.000	.050	.100	.100

NEW RATE AS OF 12/01/2004
 TOTAL RATE 8.550
 DUES RATE 1.350
 NYLPAC RATE .050
 X TOTAL HOURS WORKED → 2,045 = \$ 17,484.75
 X AUTHORIZED HOURS WORKED → 2,045 = \$ 2,760.75
 X AUTHORIZED HOURS WORKED → 2,045 = \$ 102.25

TOTAL REMITTANCE \$ 20,347.75

PLEASE MAKE CHECKS PAYABLE TO THE MASON TENDERS TRUST FUNDS

RETURN WITH CHECK

SEE INSTRUCTIONS ON REVERSE SIDE: PROVISIONS OF WHICH ARE INCORPORATED IN THIS REPORT.

PAGE 1
 PERIOD: 6/01/2005 TO 6/30/2005
 520 EIGHTH AVENUE, SUITE 600, NEW YORK, NY 10018-4196
 PHONE 212/452-9700

PORT OF ORIGIN
 DATE _____
 CODE _____

EMPLOYER'S REMITTANCE AGREEMENT AND REPORT

ALL INFORMATION BELOW MUST BE FULLY PROVIDED WITH EACH REPORT • PRINT OR TYPE

EMPLOYER'S NUMBER 13119 000000000
 EMPLOYER'S NAME FIRST CHOICE CONSTRUCTION SERVICES, INC
 EMPLOYER'S ADDRESS 38-11 31ST STREET L I C NY 11101 TEL 718 784-4488
 JOB LOCATION 88-11 165th street Jamaica, N.Y.
LIST EACH JOB LOCATION ON A SEPARATE FORM
 NAME AND ADDRESS OF GENERAL CONTRACTOR _____
 IS THIS THE LAST REPORT ON THIS JOB? YES ☐ NO ☐ IS THIS THE FIRST REPORT ON THIS JOB? YES ☐ NO ☐
 DATE JOB BEGAN _____

REPORT FOR MONTH/WEEK ENDING _____ LAST REPORTED PAID PERIOD _____

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SIGNATURE OF CORPORATE OFFICER OR PARTNER _____ DATE _____
 PRINT NAME OF SIGNER _____ TITLE _____

SOCIAL SECURITY NO.	LIST EMPLOYEE'S NAME ALPHABETICALLY	HOURS WORKED	AUTHORIZED DUES HOURS	AUTHORIZED NYLPAC HOURS
	Teofil, Stawarz	136	136	136
	TKachev, Mikhail	152	152	152
	Zakharov, mykhaylo	16	16	16

MTDC FUNDS	WELFARE	PENSION	ANNUITY	GNV LECET	TRAINING	I.A.P.	ICA/IAP	BCA I.A.P.
RATE BY FUND	4.750	1.060	2.000	.040	.500	.000	.000	.000
MTDC FUNDS	DUES L	IAF	NYS LABOR HEALTH & SAFETY	NYS LABOR/EMP COOP & EDUC.	DUES	P.A.C.	ECA/IAP	DUES D
RATE BY FUND	.250	.000	.050	.050	1.000	.050	.100	.100

NEW RATE AS OF 12/01/2004
 TOTAL RATE 8.550 X TOTAL HOURS WORKED → 2045 = \$ 17,484.75
 DUES RATE 1.350 X AUTHORIZED HOURS WORKED → 2045 = \$ 2,760.75
 NYLPAC RATE .050 X AUTHORIZED HOURS WORKED → 2,045 = \$ 102.25
 TOTAL REMITTANCE \$ 20,347.75

PLEASE MAKE CHECKS PAYABLE TO THE MASON TENDERS TRUST FUNDS

RETURN WITH CHECK

SEE INSTRUCTIONS ON REVERSE SIDE: PROVISIONS OF WHICH ARE INCORPORATED IN THIS REPORT.

CODE _____

ALL INFORMATION BELOW MUST BE FULLY PROVIDED WITH EACH REPORT • PRINT OR TYPE

EMPLOYER'S NAME FIRST CHOICE CONSTRUCTION
SERVICES, INC
EMPLOYER'S ADDRESS 38-11 31ST STREET L I C NY 11101 TEL. 718 784-4

JOB LOCATION 88-11 165th St, Jamaica, NY
LIST EACH JOB LOCATION ON A SEPARATE FORM

IS THIS THE FIRST REPORT ON THIS JOB? YES ☐ /

REPORT FOR MONTH/WEEK ENDING _____ LAST REPORTED PAID PERIOD _____

SIGNATURE OF CORPORATE OFFICER OR PARTNER _____ DATE _____

PRINT NAME OF SIGNER _____ TITLE _____

MTDC FUNDS	WELFARE	PENSION	ANNUITY	GNV LECET	TRAINING	I.A.P.	IDA/IAF	BCA I.A.F.
RATE BY FUND	4.750	1.060	2.000	.040	.500	.000	.000	.00
MTDC FUNDS	DUES L	IAF	NYS LABOR HEALTH & SAFETY	NYS LABOR/EMP COOP & EDUC.	DUES	P.A.C.	ECA/IAF	DUES
RATE BY FUND	.250	.000	.050	.050	1.000	.050	.100	.

		NEW RATE AS OF	<u>12/01/2004</u>	
TOTAL RATE	8.550	X TOTAL HOURS WORKED	→ <u>2,696</u>	= \$ <u>23,050.80</u>
DUES RATE	1.350	X AUTHORIZED HOURS WORKED	→ <u>2,696</u>	= \$ <u>3,639.60</u>
NYPAC RATE	.050	X AUTHORIZED HOURS WORKED	→ <u>2,696</u>	= \$ <u>134.80</u>
TOTAL REMITTANCE				\$ <u>26,825.20</u>

PLEASE MAKE CHECKS PAYABLE TO THE MASON TENDERS TRUST FUNDS
RETURN WITH CHECK SEE INSTRUCTIONS

SEE INSTRUCTIONS ON REVERSE SIDE: PROVISIONS OF WHICH ARE INCORPORATED IN THIS REPORT

520 EIGHTH AVENUE, SUITE 600, NEW YORK, NY 10018-4196
 PAGE 1 OF 1 PHONE 212/452-9700
 PERIOD: 7/01/2005 TO 7/31/2005

DATE _____
 CODE _____

EMPLOYER'S REMITTANCE AGREEMENT AND REPORT

ALL INFORMATION BELOW MUST BE FULLY PROVIDED WITH EACH REPORT • PRINT OR TYPE

EMPLOYER'S NUMBER 13119 000000000
 EMPLOYER'S NAME FIRST CHOICE CONSTRUCTION
SERVICES, INC
 EMPLOYER'S ADDRESS 38-11 31ST STREET L I C NY 11101 TEL 718 784-4488
 JOB LOCATION _____
LIST EACH JOB LOCATION ON A SEPARATE FORM
 NAME AND ADDRESS OF GENERAL CONTRACTOR _____
 IS THIS THE LAST REPORT ON THIS JOB? YES ☐ NO ☐ IS THIS THE FIRST REPORT ON THIS JOB? YES ☐ NO ☐
 DATE JOB BEGAN _____

REPORT FOR MONTH/WEEK ENDING _____ LAST REPORTED PAID PERIOD _____

The undersigned Employer hereby adopts and makes a part hereof the terms and conditions and the agreements printed on the reverse side hereof with the same force and effect as if fully set forth herein. The person signing this Agreement and Report on behalf of the Employer hereby consents and agrees to be personally bound by and to assume all of the terms and conditions, rights, liabilities and responsibilities of an employer in accordance with the provisions of the Collective Bargaining Agreement currently in force with the Mason Tenders District Council of Greater New York comprised of Local Unions Nos. 78 and 79 with the same force and effect as if fully set forth herein, and he/she warrants and represents that he/she has authority to bind the Employer and the principals or members thereof. The Employer agrees to make all contributions in accordance therewith in the amount set forth in this Agreement and Report for each hour of employment performed within the trade and geographical jurisdiction of the District council, and to remit all authorized deductions for dues and New York Laborers' Political Action Committee ('NYLPAC') contributions.

SIGNATURE OF _____ DATE _____
 CORPORATE OFFICER OR PARTNER
 PRINT NAME OF SIGNER _____ TITLE _____

SOCIAL SECURITY NO.	LIST EMPLOYEE'S NAME ALPHABETICALLY	HOURS WORKED	AUTHORIZED DUES HOURS	AUTHORIZED NYLPAC HOURS
	Bayrak, Artur	112	112	112
	Bayrak, Viktor	112	112	112
	Fajardo, Jose	136	136	136
	Gotsulyak, Vasyi	152	152	152
	Guirarocha, Samuel	160	160	160
	Jachero, Julio	160	160	160
	Jachero, William	152	152	152
	Kiselyov, Andriey	136	136	136
	Kolesnyk, Mykola	152	152	152
	Kozhevnikov, Aleksandr	128	128	128
	Kulish, Stanislau	240	240	240
	Lahun, Aliaksandr	152	152	152
	Paslavsky, Victor	136	136	136
	Sotamba, Benigno	152	152	152
	Sotamba, Julio	160	160	160
	Sushkevsky, Yaroslav	152	152	152

MTDC FUNDS	WELFARE	PENSION	ANNUITY	GNV LECET	TRAINING	I.A.P.		BCA I.A.P.
RATE BY FUND	2.500	1.000	2.000	0.00	250	0.00	0.00	0.00

PAGE 1 OF 1 PHONE 212/452-9700
 PERIOD: 6/01/2005 TO 6/31/2005

CODE _____

EMPLOYER'S REMITTANCE AGREEMENT AND REPORT

ALL INFORMATION BELOW MUST BE FULLY PROVIDED WITH EACH REPORT - PRINT OR TYPE

EMPLOYER'S NUMBER 13112 000000000
 EMPLOYER'S NAME FIRST CHOICE CONSTRUCTION SERVICES, INC
 EMPLOYER'S ADDRESS 30-11 31ST STREET L.I.C NY 11101 TEL. 718 784-4488
 JOB LOCATION 88-11 165th St, Jamaica, Ny
 NAME AND ADDRESS OF GENERAL CONTRACTOR _____
 IS THIS THE LAST REPORT ON THIS JOB? YES ☐ NO ☐ IS THIS THE FIRST REPORT ON THIS JOB? YES ☐ NO ☐
 DATE JOB BEGAN _____

REPORT FOR MONTH/WEEK ENDING _____ LAST REPORTED PAID PERIOD _____

The undersigned Employer hereby adopts and makes a part hereof the terms and conditions and the agreements printed on the reverse side hereof with the same force and effect as if fully set forth herein. The person signing this Agreement and Report on behalf of the Employer hereby consents and agrees to be personally bound to and to assume all of the terms and conditions, rights, liabilities and responsibilities of an employer in accordance with the provisions of the Collective Bargaining Agreement currently in force with the Mason Tenders District Council of Greater New York comprised of Local Unions Nos. 78 and 79 with the same force and effect as if fully set forth herein, and he/she warrants and represents that he/she has authority to bind the Employer and the principals or members thereof. The Employer agrees to make contributions in accordance therewith in the amount set forth in this Agreement and Report for each hour of employment performed within the trade and geographic jurisdiction of the District council, and to remit all authorized deductions for dues and New York Laborers' Political Action Committee ("NYLPAC") contributions.

SIGNATURE OF CORPORATE OFFICER OR PARTNER _____ DATE _____

PRINT NAME OF SIGNER _____ TITLE _____

SOCIAL SECURITY NO.	LIST EMPLOYEE'S NAME ALPHABETICALLY	HOURS WORKED	AUTHORIZED DUES HOURS	AUTHORIZED NYLPAC HOURS
	Medina, Felix J.	8	8	8
	Ospina, Jose	16	16	16
	Paslavskyy, Victor	112	112	112
	Rosario, Alexander	16	16	16
	Rosario, Graciela	16	16	16
	Salguero, Jose	8	8	8
	Sangua, Luis	8	8	8
	Sotamba, Benigno	136	136	136
	Sotamba, Julio	136	136	136
	Sushevskyy, Ygoroslav	136	136	136
	Tapia, Graciela	16	16	16
	Teofil, Stawarz	136	136	136
	Tkachev, Mikhail	40	40	40
	Torres, Maria	8	8	8
	Velez, Armando	20	20	20
	Vilomar, Patricia	8	8	8

MTDC FUNDS	WELFARE	PENSION	ANNUITY	GNV LECET	TRAINING	I.A.P.	BCA I.A.P.
RATE BY FUND	4.750	1.060	2.000	.040	.500	.000	.000
MTDC FUNDS	DUES L	IAF	NYS LABOR HEALTH & SAFETY	NYS LABOR/EMP COOP & EDUC.	DUES	P.A.C.	ECA/IAF
RATE BY FUND	.250	.000	.050	.050	1.000	.050	.100

NEW RATE AS OF 12/01/2004

TOTAL RATE 5.550 X TOTAL HOURS WORKED → 2,476 = \$ 21,169.80
 DUES RATE 1.350 X AUTHORIZED HOURS WORKED → 2,476 = \$ 3,342.60
 NYLPAC RATE .050 X AUTHORIZED HOURS WORKED → 2,476 = \$ 123.80
 TOTAL REMITTANCE \$ 24,636.20

SEE INSTRUCTIONS ON REVERSE SIDE: PROVISIONS OF WHICH ARE INCORPORATED IN THIS REPORT.

PAC 1 1 1
 PERIOD: 8/01/2005 TO 8/31/2005
 PHONE 212/452-9700
 CODE _____

EMPLOYER'S REMITTANCE AGREEMENT AND REPORT
 ALL INFORMATION BELOW MUST BE FULLY PROVIDED WITH EACH REPORT - PRINT OR TYPE

 EMPLOYER'S NUMBER 11119 000000000
 EMPLOYER'S NAME FIRST CHOICE CONSTRUCTION SERVICES, INC
 EMPLOYER'S ADDRESS 30-11 31ST STREET L.I.C NY 11101 TEL. 718 784-4488
 JOB LOCATION 88-11 165th St, Jamaica, Ny
 NAME AND ADDRESS OF GENERAL CONTRACTOR _____
 IS THIS THE LAST REPORT ON THIS JOB? YES ☐ NO ☐ IS THIS THE FIRST REPORT ON THIS JOB? YES ☐ NO ☐
 DATE JOB BEGAN _____

 REPORT FOR MONTH/WEEK ENDING _____ LAST REPORTED PAID PERIOD _____
 The undersigned Employer hereby adopts and makes a part hereof the terms and conditions and the agreements printed on the reverse side hereof with the same force and effect as if fully set forth herein. The person signing this Agreement and Report on behalf of the Employer hereby consents and agrees to be personally bound to and to assume all of the terms and conditions, rights, liabilities and responsibilities of an employer in accordance with the provisions of the Collective Bargaining Agreement currently in force with the Mason Tenders District Council of Greater New York comprised of Local Unions Nos. 78 and 79 with the same force and effect as if fully set forth herein, and he/she warrants and represents that he/she has authority to bind the Employer and the principals or members thereof. The Employer agrees to make contributions in accordance therewith in the amount set forth in this Agreement and Report for each hour of employment performed within the trade and geographic jurisdiction of the District council, and to remit all authorized deductions for dues and New York Laborers' Political Action Committee ('NYLPAC') contributions.

 SIGNATURE OF CORPORATE OFFICER OR PARTNER _____ DATE _____
 PRINT NAME OF SIGNER _____ TITLE _____

SOCIAL SECURITY NO.	LIST EMPLOYEE'S NAME ALPHABETICALLY	HOURS WORKED	AUTHORIZED DUES HOURS	AUTHORIZED NYLPAC HOURS
	Arango, Magda J.	8	8	8
	Avenia, Hernando	8	8	8
	Bayrak, Artur	128	128	128
	Bayrak, Viktor	128	128	128
	Bravo, melva	48	48	48
	Fajardo, Jose	72	72	72
	Gotsulyak, Vasyl	128	128	128
	Guiracocha, Samuel	136	136	136
	Jachero, Julio	160	160	160
	Jachero, William	120	120	120
	Kiselyov, Andrey	184	184	184
	Kolesnyk, Mykola	136	136	136
	Kozhevnikov, Aleksandr	128	128	128
	Kulish, Stanislaw	128	128	128
	Lahun, Aliaksandr	136	136	136
	Llanos, Ana	8	8	8

MTDC FUNDS	WELFARE	PENSION	ANNUITY	GNV LECET	TRAINING	I.A.P.	BCA I.A.P.
RATE BY FUND	4.750	1.060	2.000	.040	.500	.000	.000
MTDC FUNDS	DUES L	IAF	NYS LABOR HEALTH & SAFETY	NYS LABOR/EMP COOP & EDUC.	DUES	P.A.C.	DUES D
RATE BY FUND	.250	.000	.050	.050	1.000	.050	.100

NEW RATE AS OF 12/01/2004
 TOTAL RATE 0.550 X TOTAL HOURS WORKED → _____ = \$ _____
 DUES RATE 1.350 X AUTHORIZED HOURS WORKED → _____ = \$ _____
 NYLPAC RATE .050 X AUTHORIZED HOURS WORKED → _____ = \$ _____
 TOTAL REMITTANCE \$ _____

SEE INSTRUCTIONS ON REVERSE SIDE: PROVISIONS OF WHICH ARE INCORPORATED IN THIS REPORT.

PAGE 1 OF 1
 PERIOD: 9/01/2005 TO 9/30/2005
 PHONE 212/452-9700

DATE _____
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EMPLOYER'S REMITTANCE AGREEMENT AND REPORT

ALL INFORMATION BELOW MUST BE FULLY PROVIDED WITH EACH REPORT - PRINT OR TYPE

EMPLOYER'S NUMBER 13119 000000000
 EMPLOYER'S NAME FIRST CHOICE CONSTRUCTION SERVICES, INC
 EMPLOYER'S ADDRESS 38-11 31ST STREET L I C NY 11101 TEL. 718 784-4488
 JOB LOCATION 88-11 165th St, Jamaica, NY
LIST EACH JOB LOCATION ON A SEPARATE FORM
 NAME AND ADDRESS OF GENERAL CONTRACTOR _____

IS THIS THE LAST REPORT ON THIS JOB? YES ☐ NO ☐

IS THIS THE FIRST REPORT ON THIS JOB? YES ☐ NO ☐

DATE JOB BEGAN _____

REPORT FOR MONTH/WEEK ENDING _____ LAST REPORTED PAID PERIOD _____

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SIGNATURE OF CORPORATE OFFICER OR PARTNER _____ DATE _____

PRINT NAME OF SIGNER _____ TITLE _____

SOCIAL SECURITY NO.	LIST EMPLOYEE'S NAME ALPHABETICALLY	HOURS WORKED	AUTHORIZED DUES HOURS	AUTHORIZED NYLPAC HOURS
	Sushkevsky, Yaroslav	196	196	196
	Szyszkowski, Marek	92	92	92
	Tapia, Maria	8	8	8
	Teofil, Stawarz	160	160	160
	Tkachev, Mikhail	252	252	252
	Tsiareshchanka, Andrei	316	216	216
	Welenc, Jan	96	96	96
	Zakharov, Mykhaylo	40	40	40

MTDC FUNDS	WELFARE	PENSION	ANNUITY	GNV LECET	TRAINING	I.A.P.	IDCA/IAF	BCA I.A.P.
RATE BY FUND	4.750	1.060	2.000	.040	.500	.000	.000	.000
MTDC FUNDS	DUES L	IAF	NYS LABOR HEALTH & SAFETY	NYS LABOR/EMP COOP & EDUC.	DUES	P.A.C.	ECA/IAF	DUES D
RATE BY FUND	.250	.000	.050	.050	1.000	.050	.100	.100

NEW RATE AS OF 12/01/2004
 TOTAL RATE 8.550 X TOTAL HOURS WORKED → 5,684 = \$ 48,598.20
 DUES RATE 1.350 X AUTHORIZED HOURS WORKED → 5,684 = \$ 7673.40
 NYLPAC RATE .050 X AUTHORIZED HOURS WORKED → 5,684 = \$ 284.20

TOTAL REMITTANCE \$ 56,555.80

PLEASE MAKE CHECKS PAYABLE TO THE MASON TENDERS TRUST FUNDS

RETURN WITH CHECK

SEE INSTRUCTIONS ON REVERSE SIDE: PROVISIONS OF WHICH ARE INCORPORATED IN THIS REPORT.

PAGE 1 OF 1
 PERIOD: 9/01/2005 TO 9/30/2005
 PHONE 212/452-9700

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EMPLOYER'S REMITTANCE AGREEMENT AND REPORT

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EMPLOYER'S NUMBER 13119 000000000

EMPLOYER'S NAME FIRST CHOICE CONSTRUCTION
SERVICES, INC

EMPLOYER'S ADDRESS 38-11 31ST STREET L I C NY 11101 TEL. 718 784-4488

JOB LOCATION 88-11 165th St. Jamaica, NY
(LIST EACH JOB LOCATION ON A SEPARATE FORM)

NAME AND ADDRESS OF GENERAL CONTRACTOR _____

IS THIS THE LAST REPORT ON THIS JOB? YES ☐ NO ☐ IS THIS THE FIRST REPORT ON THIS JOB? YES ☐ NO ☐

DATE JOB BEGAN _____

REPORT FOR MONTH/WEEK ENDING _____ LAST REPORTED PAID PERIOD _____

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SIGNATURE OF
 CORPORATE OFFICER OR PARTNER _____ DATE _____

PRINT NAME OF SIGNER _____ TITLE _____

SOCIAL SECURITY NO.	LIST EMPLOYEE'S NAME ALPHABETICALLY	HOURS WORKED	AUTHORIZED DUES HOURS	AUTHORIZED NYLPAC HOURS
	Asmal, Angel E.	16	16	16
	Bayrak, Artur	316	316	316
	Bayrak, Viktor	212	212	212
	Bravo, Melva	164	164	164
	Calle, Ricardo	20	20	20
	Gotsulyak, Yasyi	152	152	152
	Guasquillo, Luis	60	60	60
	Guerrero, Raul	8	8	8
	Guiracocha, Samuel	216	216	216
	Huslote, Gustavo	8	8	8
	Jachero, Julio	208	208	208
	Jachero, William	196	196	196
	Kaczmarzyk, Jan	32	32	32
	Khadasevich, Dzmitry	232	232	232
	Khadasevich, Siarhei	232	232	232
	Kiselyov, Andrey	220	220	220

MTDC FUNDS	WELFARE	PENSION	ANNUITY	GNY LECET	TRAINING	I.A.P.	BCA I.A.P.
RATE BY FUND	4.750	1.060	2.000	.040	.500	.000	.000
MTDC FUNDS	DUES L	IAF	NYS LABOR HEALTH & SAFETY	NYS LABOR/EMP COOP & EDUC.	DUES	P.A.C.	DUES D
RATE BY FUND	.250	.000	.050	.050	1.000	.050	.100

NEW RATE AS OF 12/01/2004

TOTAL RATE 8.550 X TOTAL HOURS WORKED → _____ = \$ _____

DUES RATE 1.350 X AUTHORIZED HOURS WORKED → _____ = \$ _____

NYLPAC RATE .050 X AUTHORIZED HOURS WORKED → _____ = \$ _____

TOTAL REMITTANCE \$ _____

PLEASE MAKE CHECKS PAYABLE TO THE MASON TENDERS TRUST FUNDS

RETURN WITH CHECK

SEE INSTRUCTIONS ON REVERSE SIDE: PROVISIONS OF WHICH ARE INCORPORATED IN THIS REPORT.

PAGE 1 OF 1
 PERIOD: 9/01/2005 TO 9/30/2005
 PHONE 212/452-9700

DATE _____
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EMPLOYER'S REMITTANCE AGREEMENT AND REPORT

ALL INFORMATION BELOW MUST BE FULLY PROVIDED WITH EACH REPORT • PRINT OR TYPE

EMPLOYER'S NUMBER 13119 000000000

EMPLOYER'S NAME FIRST CHOICE CONSTRUCTION

SERVICES, INC
 EMPLOYER'S ADDRESS 38-11 31ST STREET L I C NY 11101 TEL. 718 784-4488

JOB LOCATION 88-11 165th St, Jamaica, NY
(LIST EACH JOB LOCATION ON A SEPARATE FORM)

NAME AND ADDRESS OF GENERAL CONTRACTOR _____

IS THIS THE LAST REPORT ON THIS JOB? YES ☐ NO ☐

IS THIS THE FIRST REPORT ON THIS JOB? YES ☐ NO ☐

DATE JOB BEGAN _____

REPORT FOR MONTH/WEEK ENDING _____ LAST REPORTED PAID PERIOD _____

The undersigned Employer hereby adopts and makes a part hereof the terms and conditions and the agreements printed on the reverse side hereof with the same force and effect as if fully set forth herein. The person signing this Agreement and Report on behalf of the Employer hereby consents and agrees to be personally bound by and to assume all of the terms and conditions, rights, liabilities and responsibilities of an employer in accordance with the provisions of the Collective Bargaining Agreement currently in force with the Mason Tenders District Council of Greater New York comprised of Local Unions Nos. 78 and 79 with the same force and effect as if fully set forth herein, and he/she warrants and represents that he/she has authority to bind the Employer and the principals or members thereof. The Employer agrees to make all contributions in accordance therewith in the amount set forth in this Agreement and Report for each hour of employment performed within the trade and geographical jurisdiction of the District council, and to remit all authorized deductions for dues and New York Laborers' Political Action Committee ("NYLPAC") contributions.

SIGNATURE OF CORPORATE OFFICER OR PARTNER _____ DATE _____

PRINT NAME OF SIGNER _____ TITLE _____

SOCIAL SECURITY NO.	LIST EMPLOYEE'S NAME ALPHABETICALLY	HOURS WORKED	AUTHORIZED DUES HOURS	AUTHORIZED NYLPAC HOURS
	Kolesnyk, Mykola	248	248	248
	Korsun, Adam	96	96	96
	Kozhevnikov, Aleksandr	248	248	248
	Kulbida, Sergiy	20	20	20
	Kulich, Stanislaw	256	256	256
	Lahun, Aliaksandr	224	224	224
	Medvedev, Vladimir	248	248	248
	Michniewicz, Zbigniew	68	68	68
	Paslavskyy, Victor	120	120	120
	Petrovski, Veselin	108	108	108
	Sanchez, Freddy E.	16	16	16
	Shapovalov, Vladyslav	240	240	240
	Siguencia, Carlos	16	16	16
	Siguencia, Manuel	16	16	16
	Sotamba, Benigno	208	208	208
	Sotamba, Julio	200	200	200

MTDC FUNDS	WELFARE	PENSION	ANNUITY	GNV LECET	TRAINING	I.A.P.	BCA I.A.P.
RATE BY FUND	4.750	1.060	2.000	.040	.500	.000	.000
MTDC FUNDS	DUES L	IAF	NYS LABOR HEALTH & SAFETY	NYS LABOR/EMP COOP & EDUC.	DUES	P.A.C.	DUES D
RATE BY FUND	.250	.000	.050	.050	1.000	.050	.100

NEW RATE AS OF 12/01/2004

TOTAL RATE	8.550	X TOTAL HOURS WORKED →	= \$
DUES RATE	1.350	X AUTHORIZED HOURS WORKED →	= \$
NYLPAC RATE	.050	X AUTHORIZED HOURS WORKED →	= \$

TOTAL REMITTANCE \$ _____

PLEASE MAKE CHECKS PAYABLE TO THE MASON TENDERS TRUST FUNDS

RETURN WITH CHECK

SEE INSTRUCTIONS ON REVERSE SIDE: PROVISIONS OF WHICH ARE INCORPORATED IN THIS REPORT.

PAGE 1 OF 1
 520 EIGHTH AVENUE, SUITE 600, NEW YORK, NY 10018-4196
 PERIOD: 10/01/2005 TO 10/30/2005 PHONE 212/452-9700

DATE _____
 CODE _____

EMPLOYER'S REMITTANCE AGREEMENT AND REPORT

ALL INFORMATION BELOW MUST BE FULLY PROVIDED WITH EACH REPORT • PRINT OR TYPE

EMPLOYER'S NUMBER 13119 000000000
 EMPLOYER'S NAME FIRST CHOICE CONSTRUCTION SERVICES, INC
 EMPLOYER'S ADDRESS 38-11 31ST STREET L I C NY 11101 TEL. 718 784-4488
 JOB LOCATION 88-11 165th St, Jamaica, NY
LIST EACH JOB LOCATION ON A SEPARATE FORM

NAME AND ADDRESS OF GENERAL CONTRACTOR _____

IS THIS THE LAST REPORT ON THIS JOB? YES ☐ NO ☐IS THIS THE FIRST REPORT ON THIS JOB? YES ☐ NO ☐

DATE JOB BEGAN _____

REPORT FOR MONTH/WEEK ENDING _____ LAST REPORTED PAID PERIOD _____

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SIGNATURE OF CORPORATE OFFICER OR PARTNER _____ DATE _____

PRINT NAME OF SIGNER _____ TITLE _____

SOCIAL SECURITY NO.	LIST EMPLOYEE'S NAME ALPHABETICALLY	HOURS WORKED	AUTHORIZED DUES HOURS	AUTHORIZED NYLPAC HOURS
	Moszczynski, Mariusz	50	50	50
	Pastlavsky, Victor	44	44	44
	Shapovalov, Vladyslav	68	68	68
	Sotamba, Benigno	88	88	88
	Sotamba, Julio	88	88	88
	Sotamba, Luis	40	40	40
	Tcofil, Stawarz	40	40	40
	Tkachev, Mikhail	100	100	100
	Tsiarashchanka, Andrei	84	84	84

MTDC FUNDS	WELFARE	PENSION	ANNUITY	GNV LECET	TRAINING	I.A.P.	BCA I.A.P.
RATE BY FUND	4.750	1.060	2.000	.040	.500	.000	.000
MTDC FUNDS	DUES L	IAF	NYS LABOR HEALTH & SAFETY	NYS LABOR/EMP COOP & EDUC.	DUES	P.A.C.	DUES D
RATE BY FUND	.250	.000	.050	.050	1.000	.050	.100

NEW RATE AS OF 12/01/2004
 TOTAL RATE 8.550 X TOTAL HOURS WORKED → 1,650 = \$ 14,107.50
 DUES RATE 1.350 X AUTHORIZED HOURS WORKED → 1,650 = \$ 2,227.50
 NYLPAC RATE .050 X AUTHORIZED HOURS WORKED → 1,650 = \$ 82.50

TOTAL REMITTANCE

\$ 16,417.50

PLEASE MAKE CHECKS PAYABLE TO THE MASON TENDERS TRUST FUNDS

RETURN WITH CHECK

SEE INSTRUCTIONS ON REVERSE SIDE: PROVISIONS OF WHICH ARE INCORPORATED IN THIS REPORT.

PAGE 1 OF 1
 PERIOD: 10/01/2005 TO 10/30/2005
 PHONE 212/452-9700

DATE _____
 CODE _____

EMPLOYER'S REMITTANCE AGREEMENT AND REPORT

ALL INFORMATION BELOW MUST BE FULLY PROVIDED WITH EACH REPORT • PRINT OR TYPE

EMPLOYER'S NUMBER 13119 000000000
 EMPLOYER'S NAME FIRST CHOICE CONSTRUCTION
SERVICES, INC
 EMPLOYER'S ADDRESS 38-11 31ST STREET L I C NY 11101 TEL 718 784-4488
 JOB LOCATION 88-11 165th St, Jamaica, Ny
LIST EACH JOB LOCATION ON A SEPARATE FORM
 NAME AND ADDRESS OF GENERAL CONTRACTOR _____

IS THIS THE LAST REPORT ON THIS JOB? YES ☐ NO ☐

IS THIS THE FIRST REPORT ON THIS JOB? YES ☐ NO ☐

DATE JOB BEGAN _____

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SIGNATURE OF
 CORPORATE OFFICER OR PARTNER _____ DATE _____

PRINT NAME OF SIGNER _____ TITLE _____

SOCIAL SECURITY NO.	LIST EMPLOYEE'S NAME ALPHABETICALLY	HOURS WORKED	AUTHORIZED DUES HOURS	AUTHORIZED NYLPAC HOURS
	Bayrak, Artur	100	100	100
	Bolkunav, Nikolay	12	12	12
	Bravo, Melva	90	90	90
	Gotsulyak, Vasyi	44	44	44
	Guiracocha, Samuel	84	84	84
	Jachero, Julio	86	86	86
	Jachero, William	84	84	84
	Khadasevich, Dmitry	76	76	76
	Khadasevich, Siarhei	76	76	76
	Kiselyov, Andrey	68	68	68
	Kolesnyk, Mykola	12	12	12
	Kozhevnikov, Aleksandr	28	28	28
	Kulbida, Sergiy	48	48	48
	Kulish, Stanislau	108	108	108
	Lahun, Aliaksandr	56	56	56
	Medvedev, Vladimir	76	76	76

MTDC FUNDS	WELFARE	PENSION	ANNUITY	GNV LECET	TRAINING	I.A.P.	ICA/IAF	BCA I.A.P.
RATE BY FUND	4.750	1.060	2.000	.040	.500	.000	.000	.000
MTDC FUNDS	DUES L	IAF	NYS LABOR HEALTH & SAFETY	NYS LABOR/EMP COOP & EDUC.	DUES	P.A.C.	ICA/IAF	DUES D
RATE BY FUND	.250	.000	.050	.050	1.000	.050	.100	.100

NEW RATE AS OF 12/01/2004
 TOTAL RATE 8.550 X TOTAL HOURS WORKED → _____ = \$ _____
 DUES RATE 1.350 X AUTHORIZED HOURS WORKED → _____ = \$ _____
 NYLPAC RATE .050 X AUTHORIZED HOURS WORKED → _____ = \$ _____

TOTAL REMITTANCE

\$ _____

PLEASE MAKE CHECKS PAYABLE TO THE MASON TENDERS TRUST FUNDS

RETURN WITH CHECK

SEE INSTRUCTIONS ON REVERSE SIDE: PROVISIONS OF WHICH ARE INCORPORATED IN THIS REPORT.

PLAINTIFFS' INTEREST CALCULATIONS**January 1, 2005 through October 31, 2005 Contribution Reports**

<u>Hours Worked per Contribution Reports</u>		<u>Benefits Owed</u>	<u>Dues/PAC Owed</u>
January 2005	385	\$ 3,291.75	\$ 539.00
February 2005	839	\$ 7,173.45	\$ 1,174.60
March 2005	0	\$ 0.00	\$ 0.00
April 2005	0	\$ 0.00	\$ 0.00
June 2005	2,045	\$ 17,484.75	\$ 2,863.00
July 2005	2,696	\$ 23,050.80	\$ 3,774.40
August 2005	2,476	\$ 21,169.80	\$ 3,466.40
September 2005	5,684	\$ 48,598.20	\$ 7,957.60
October 2005	<u>1,650</u>	<u>\$ 14,107.50</u>	<u>\$ 2,310.00</u>
	15,775	\$ 134,876.25	\$ 22,085.00

	<u>Benefits Owed</u>	x	<u>Days Late/365</u>	x	<u>Interest Rate</u>	=	<u>Interest Owed</u>
2/15/05-3/14/05	\$ 3,291.75		28/365		.05		\$ 12.63
3/15/05-3/31/05	\$ 10,465.20		17/365		.05		\$ 24.37
4/1/05-7/14/05	\$ 10,465.20		105/365		.06		\$ 180.63
7/15/05-8/14/05	\$ 27,949.95		31/365		.06		\$ 142.43
8/15/05-9/14/05	\$ 51,000.75		31/365		.06		\$ 259.89
9/15/05-9/30/05	\$ 72,170.55		16/365		.06		\$ 189.82
10/1/05-10/14/05	\$ 72,170.55		14/365		.07		\$ 193.77
10/15/05-11/14/05	\$ 120,768.75		31/365		.07		\$ 718.00
11/15/05-4/9/06	\$ 134,876.25		146/365		.07		\$ 3,776.54
(less part payment \$ 31,438.94 received 4/10/06)							
4/10/06-5/16/06	\$ 103,437.31		37/365		.07		\$ 733.98
(less part payment \$ 43,330.40 received 5/17/06)							
5/17/06-6/30/06	\$ 60,106.91		45/365		.07		\$ 518.73
7/1/06-12/31/07	\$ 60,106.91		549/365		.08		\$ 7,232.59
1/1/08-3/31/08	\$ 60,106.91		91/365		.07		\$ 1,048.99
4/1/08-6/30/08	\$ 60,106.91		91/365		.06		\$ 899.13
7/1/08-7/30/08	\$ 60,106.91		30/365		.05		<u>\$ 247.01</u>

Total - \$16,178.51

	<u>Dues & PAC Owed</u>	x	<u>Days Late/365</u>	x	<u>Interest Rate</u>	=	<u>Interest Owed</u>
2/15/05-3/14/05	\$ 539.00		28/365		.09		\$ 3.72
3/15/05-7/14/05	\$ 1,713.60		122/365		.09		\$ 51.55
7/15/05-8/14/05	\$ 4,576.60		31/365		.09		\$ 34.98
8/15/05-9/14/05	\$ 8,351.00		31/365		.09		\$ 63.83
9/15/05-10/14/05	\$ 11,817.40		30/365		.09		\$ 87.42
10/15/05-11/14/05	\$ 19,775.00		31/365		.09		\$ 151.16
11/15/05-4/9/06	\$ 22,085.00		146/365		.09		\$ 795.06
(less part payment \$ 5,147.80 received 4/10/06)							
4/10/06-5/16/06	\$ 16,937.20		37/365		.09		\$ 154.22
(less part payment \$ 6,669.60 received 5/17/06)							
5/17/06-7/30/08	\$ 10,267.60		806/365		.09		<u>\$ 2,040.58</u>
Total -							\$ 3,382.52

INTEREST OWED (through 7/30/08) ON FRINGE BENEFITS: \$ 16,178.51

INTEREST OWED (through 7/30/08) ON DUES & PAC: \$ 3,382.52